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REPORT OF THE SECRETARY-GENERAL ON DEVELOPMENTS IN GUINEA-BISSAU AND ON THE ACTIVITIES OF THE UNITED NATIONS PEACE-BUILDING SUPPORT OFFICE IN THAT COUNTRY

I. INTRODUCTION

1. The present report is submitted pursuant to paragraph 14 of Security Council resolution 1233 (1999) of 6 April 1999, by which the Council requested me to keep it regularly informed and to submit a report to it by 30 June 1999 and every 90 days thereafter on developments in Guinea-Bissau and the activities of the United Nations Peace-building Support Office in Guinea-Bissau (UNOGBIS).

2. Members of the Council will recall that in my last report of 29 September 1999 on developments in Guinea-Bissau and the activities of UNOGBIS (S/1999/1015), I outlined the progress that UNOGBIS had made in carrying out its mandate to help consolidate the peace and democratization processes in Guinea-Bissau. I highlighted, in particular, the work of UNOGBIS towards helping to create propitious technical and political conditions for the holding of the legislative and presidential elections on 28 November 1999.

3. The present report covers developments in Guinea-Bissau since 29 September 1999, including preparations for and conduct of the 28 November elections.

II. POLITICAL DEVELOPMENTS

4. Since my last report to the Council, the political situation in Guinea-Bissau has been dominated by preparations for and the holding of the 28 November legislative and presidential elections.

5. As preparations for the elections unfolded, with the direct assistance of UNOGBIS and the United Nations Development Programme (UNDP), the principal leaders in the country, including the interim President, the Prime Minister, the leaders of political parties and the military establishment, reaffirmed their commitment to the organization of the elections as scheduled. The military authorities specifically reiterated their public pledge not only to support the ongoing peace and democratic processes but also to transform the armed forces

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into a more professional republican army subordinate to civilian authorities following the elections.

6. Efforts by a faction of the military establishment to perpetuate the military's traditionally dominant role in the country's political life were thwarted when a proposed addendum to the Constitution, called the Magna Carta, was rejected by political leaders and was subsequently withdrawn. The political and military leaders reaffirmed the supremacy of the Constitution, which provides for the rule of law in Guinea-Bissau.

7. Meanwhile, relations between Guinea-Bissau and its neighbours have generally continued to improve, strengthened further by the efforts of my Representative, Samuel Nana-Sinkam, who, working closely with the Governments concerned, has sought to help consolidate peace and security throughout the subregion. To that end, he visited Senegal and Guinea from 8 to 15 November, as I had outlined in my letter dated 13 October to the President of the Council (S/1999/1091). Bilateral relations with Guinea-Bissau's international partners received a significant boost when the financial contributions pledged for the elections were fully disbursed in time for the elections.

8. Internally, there was a noticeable relaxation in the political climate during the period under review. Newspapers have resumed publication, new journals have emerged and private radio stations have begun broadcasting again. As a result, the population at large has become increasingly involved in the political life of the country; political dialogue has regained prominence and, as was evident during the electoral campaign, is increasingly characterized by tolerance and respect for opposing views.

9. To further promote national reconciliation and tolerance, my Representative appealed to the candidates contesting the 28 November elections to concentrate on issues, not personalities, and to refrain from exploiting social, religious and ethnic differences for political gains. It also became increasingly clear that the proposed amendment to article 5 of the Constitution, which would have barred from high public office anyone whose parents were not indigenous to the country, was perceived as divisive and has been shelved until the new National Assembly is in place following the elections.

10. On the occasion of this year's observance of United Nations Day, UNOGBIS organized, from 22 to 24 October, a national soccer tournament, comprising teams having different ethnic, political and religious backgrounds, and drawn from different parts of the country. This highly successful event, the first of its kind since 1996, was watched also by senior political and military leaders.

III. THE LEGISLATIVE AND PRESIDENTIAL ELECTIONS OF 28 NOVEMBER 1999

A. Overview

11. Twelve presidential candidates, with four independent candidates among them, contested the office of the presidency. The candidates included interim President Sanha, the candidate of the African Party for the Independence of

Guinea and Cape Verde (Partido Africano da Independencia da Guine e Cabo Verde (PAIGC)), Kumba Yala, the leader of the Party for Social Renewal (Partido para a Renovação Social (PRS)), Joaquim Balde of the Social Democratic Party (Partido Social Democratico (PSD)) and Abubacar Balde of the National Union for Democracy and Progress (União Nacional para a Democracia e o Progresso). Tatis Sa, Fernando Gomes, Salvador Tchongo and Dr. Faustino Imbali ran as independent candidates. To win in the first round of the elections, a candidate had to receive 50 per cent of the vote plus one vote.

12. In the legislative elections, candidates from 13 political parties contested 102 seats of the National Assembly. Two seats were allocated to represent Bissau Guineans living abroad, one for the African diaspora and the other for the European diaspora.

13. The organization and conduct of the elections fell to the National Electoral Commission (CNE), which faced severe constraints, including weak national institutions, lack of resources and poor infrastructure.

B. Technical and financial electoral assistance

14. At the request of the Government of Guinea-Bissau, the United Nations, through UNDP, provided technical assistance during the various stages of the electoral process. A technical assistance team, comprising a chief technical adviser and experts on election administration, logistics, information systems, electoral registration and civic education, was deployed to assist CNE. The team also assisted CNE in developing an operational plan, which entailed the procurement, delivery and collection of polling station materials, computerization of the voters' lists, identification of polling stations and the training and deployment of poll workers.

15. To support the electoral process, the international community provided both financial resources and in-kind contributions. In particular, the European Union (EU), the Netherlands and Japan contributed, through UNDP, approximately US$ 4.5 million, while Portugal, Brazil and the Community of Portuguese-Speaking Countries (CPLP) provided in-kind contributions. For the coordination of electoral observation, Germany and Sweden provided in-kind contributions amounting to some US$ 52,000 and US$ 30,000 respectively, while France contributed 1 million francs (F) (about US$ 110,000) to the UNOGBIS Trust Fund in support of election-related activities.

16. With the technical assistance of the UNDP team, CNE successfully registered some 502,678 potential voters, representing approximately 91.2 per cent of the eligible voting population, and initiated a massive civic education campaign to inform and educate the electorate on the electoral process.

C. Electoral campaign

17. The electoral campaign ran from 5 to 26 November 1999. To facilitate free and fair political dialogue, UNOGBIS organized a Forum for Open, Fair and Transparent elections that ran from 10 to 26 November. The Forum culminated in

a televised final round-table discussion on 26 November during which the presidential candidates addressed the electorate and answered questions from moderators. UNOGBIS, in collaboration with UNDP and the United Nations Population Fund (UNFPA), also organized a Seminar to Promote the Participation of Women in Political Life, from 19 to 20 November 1999. The Seminar, which brought together 43 women candidates representing 13 political parties from all regions of Guinea-Bissau, focused on the importance of uniting their efforts to improve the quality of life for all women in the country.

18. On the eve of the elections, on 24 November 1999, I issued a statement in which I commended all those inside and outside Guinea-Bissau who had contributed to making the elections possible. I called on all concerned parties, including the military, to ensure that the elections were conducted in a free, fair and transparent manner and without interference. I also reaffirmed the readiness of the United Nations to support the electoral process until its conclusion and to assist the new Government in building a sustainable climate for peace and reconciliation, conducive to economic reconstruction and development.

D. International electoral observation

19. At the request of the Government, UNOGBIS coordinated international observation of the elections, with the participation of 88 short-term observers drawn from the following 19 countries, invited by the Government: Angola, Belgium, Benin, Canada, Cape Verde, Côte d'Ivoire, Ethiopia, the Gambia, Guinea, Mozambique, the Netherlands, the Niger, Nigeria, Portugal, Senegal, Spain, Sweden, Togo and the United States of America. The observers participated either on behalf of their respective States or as part of delegations from the Organization of African Unity (OAU), the International Organization of la Francophonie or CPLP. The observers covered over 40 per cent of the 2,003 polling stations.

E. Voting day, 28 November 1999

20. Over 80 per cent of eligible voters participated in the elections. Despite initial reports of delays in the starting of operations in some polling stations due to transportation problems and the slow delivery of electoral materials, the situation improved by midday on voting day and largely stabilized. To compensate for the delay, voting was extended until 29 November in those few stations where it had started late.

21. On the whole, voting proceeded in a peaceful and orderly manner and no major incidents were reported. The overall situation in the country remained calm throughout the vote count, which began immediately after the closing of the polling stations in the presence of representatives of political parties and international observers.

22. On 30 November, international observers, in a joint communiqué, declared that the voting had taken place in a "climate of civility, serenity, transparency and sincerity" and in accordance with the electoral laws of Guinea-Bissau.

F. Results of the elections

23. On 9 December, CNE published the official results which showed that, in the legislative elections, PRS, the party headed by Kumba Yala, had won 38 of the 102 seats in the National Assembly, the largest single share. Guinea-Bissau Resistance (RGB) took second place with 28 seats, while PAIGC, the current ruling party, came third with 24 seats. However, CNE later officially revised the count and allocated one more seat to RGB, raising its share to 29 seats. Five other parties shared the remaining seats. None of the parties gained an absolute majority in the National Assembly.

24. In the presidential elections, Kumba Yala obtained 38.81 per cent of the vote, followed by interim President Sanha with 23.37 per cent. None of the 12 presidential candidates received the required majority. Consequently, in accordance with the electoral law, which provides for a run-off within three weeks of an inconclusive first round of voting in a presidential poll, a second round has been scheduled for 16 January 2000.

IV. MILITARY AND SECURITY ASPECTS

25. Although the internal security situation in the country has remained calm, the circulation of small arms among the civilian population continues to raise concern, especially for public law and order. The military still maintains a visible presence in public and continues to perform routine police functions. Police units are beginning to take up position in Bissau, but the process continues to be hampered by the lack of appropriate training and logistic means.

26. Meanwhile, the military leaders recently sought to quell concerns raised over reports of new recruitment into the armed forces by explaining that the recruitment was meant not to increase the size of the armed forces, but simply to replace servicemen earmarked for demobilization.

27. As plans for demobilization and reintegration have continued to advance, a World Bank mission visited Guinea-Bissau and carried out a comprehensive feasibility study, while a joint team from the Department of Political Affairs and the Department for Disarmament Affairs of the United Nations Secretariat undertook an assessment mission to the country from 1 to 6 November 1999 to assist the work of the United Nations Inter-Agency Task Force established on the ground to promote civilian disarmament. To that end, the Task Force, under the coordination of UNOGBIS, and with the active support of the World Food Programme (WFP) and the Food and Agriculture Organization of the United Nations (FAO), has continued to develop a programme of incentives to encourage civilians to surrender their weapons. The programme is planned to be implemented once the second round of the presidential elections is held and a new government is in place.

28. With regard to the border security concerns that had been raised by the authorities, members of the Council will recall that, in my report of 29 September 1999, I promised to revert to the Council regarding the recommendations of a small mission I had dispatched to Guinea-Bissau to look into the transitional Government's request for international military observers

to monitor the situation along the borders with Guinea and Senegal and provide a measure of confidence among the population during the electoral period. It should also be recalled that, on 13 October 1999 (S/1999/1091), I wrote to the President of the Council informing him that the mission had found that the situation along the borders with Guinea and Senegal was tenuous and recommended the deployment of approximately 200 military observers. After considering their recommendations, I concluded that it was preferable at that juncture to take a number of interim measures, while keeping the option of deploying international military observers open.

29. As a first interim measure, I requested my Representative and his Military Adviser to visit Senegal, Guinea, the Gambia and the secretariat of the Economic Community of West African States (ECOWAS) to brief those parties on the thrust of the report of the assessment mission and to encourage Senegal and Guinea to set up, with Guinea-Bissau, joint monitoring mechanisms along their common borders and other confidence-building measures.

30. My Representative, accompanied by his Military Adviser, visited Senegal and Guinea from 8 to 15 November 1999 and plans to travel to the Gambia and the ECOWAS secretariat upon the conclusion of the ongoing electoral process in Guinea-Bissau. The visit to Senegal and Guinea revealed the need to continue to build confidence among the countries of the subregion and to establish a propitious climate for agreement on specific security enhancement and monitoring mechanisms. As the situation in the area remains complex, it emerged from my Representative's discussions with the authorities that continued United Nations support, as well as that of regional organizations, especially ECOWAS, was vital to helping Guinea-Bissau and its neighbours not only to consolidate their bilateral relations, but also to promote sustainable peace and progress throughout the subregion.

31. When the second part of the mission is completed and my Representative reports to me with his recommendations, I shall again revert to the Council on this issue. Meanwhile, my Representative will remain in close contact with the authorities of the countries concerned and will continue working with them to promote peace, security and cooperation among them.

32. With regard to the second interim measure indicated in my letter of 13 October to the President of the Council, I am pleased to report that frequent visits by my Representative and the United Nations country team as a whole, as well as by members of the diplomatic community, to various towns and villages throughout Guinea-Bissau have helped build confidence among the population, reassuring them that the international community remains an interested and committed partner. The positive response of several States and organizations to the Government's invitation to send electoral observers for the 28 November elections was seen as further evidence of the international community's solidarity with the people of Guinea-Bissau.

V. HUMAN RIGHTS ASPECTS

33. During the period under review, UNOGBIS remained in close contact with the Government, the National Assembly, the Judiciary, CNE, the military authorities

and civil society organizations in a concerted effort to promote respect for human rights in Guinea-Bissau.

34. In this connection, in September and October UNOGBIS carried out joint visits with the Government to various detention facilities during which concern was raised over the deplorable conditions under which the prisoners were being held. On 3 October, my Representative, in cooperation with the Government, led a second mission to visit prisons, this time accompanied by other representatives of the United Nations country team and members of the diplomatic corps. UNOGBIS has also continued to encourage and facilitate the acceleration of trial proceedings. To that end, UNOGBIS provided assistance for the training of 20 magistrates in an effort to help speed up the judicial process. At the same time, relevant United Nations entities have indicated their readiness to provide the necessary technical assistance to ensure fair and transparent trials, some of which could be observed by human rights experts.

35. In a move welcomed by UNOGBIS, the authorities, on 13 December, announced the release of 59 of the estimated 600 prisoners detained since the event of 7 May 1999.

VI. HUMANITARIAN ASPECTS

36. The country is currently in a transitional phase from humanitarian relief to reconstruction and rehabilitation. Cereal food production is generally satisfactory. United Nations organizations, in particular FAO and WFP, are providing assistance to vulnerable groups, with FAO concentrating on the horticulture agricultural sector and WFP responding to the needs of hospitals, nutritional centres and school canteens. Food-for-work programmes are being used to rehabilitate health centres, construct roads and build salt-water incursion dikes.

37. Activities in the health sector focus on rebuilding infrastructure damaged by the fighting, and on the reactivation of the 1998-2002 National Plan for Health Development sponsored by the World Bank, the World Health Organization (WHO), the United Nations Children's Fund (UNICEF), UNFPA, UNDP and bilateral donors. A nationwide immunization programme against poliomyelitis was conducted on 30 and 31 October, with the support and participation of United Nations organizations.

38. The voluntary repatriation of Bissau Guinean refugees from neighbouring countries continued, under the Office of the United Nations High Commissioner for Refugees (UNHCR) auspices, during the period under review. In this connection, 232 refugees returned home from the Gambia, 855 from Senegal and 456 from Cape Verde. Once the necessary procedures are agreed with the two countries, UNHCR is prepared to help repatriate some 900 Bissau Guinean refugees who recently registered with the agency in the Boké area of Guinea (Conakry). UNHCR is also assisting over 6,000 refugees from neighbouring countries who have taken shelter in Guinea-Bissau, including about 5,500 Senegalese from the Casamance region and some 800 Sierra Leoneans and Liberians.

VII. ECONOMIC AND SOCIAL ASPECTS

39. The Government and the country's international partners have strongly reaffirmed the view that consolidation of the peace and democratization processes, including improvements in the areas of security and law and order, is essential for the sustainable revitalization of the economy. Progress continues to be made in restoring basic public and social services and the authorities have expressed their expectation that the successful conclusion of the electoral process and the emergence of a new democratic government will lead to the disbursement of the funds pledged for Guinea-Bissau's reconstruction efforts at the Round-table conference convened by UNDP in Geneva on 4 and 5 May 1999.

VIII. COORDINATION OF UNITED NATIONS ACTIVITIES

40. UNOGBIS and the entire United Nations country team continued to work closely as a team, particularly during the preparations for and conduct of the 28 November elections. Such cooperation made it possible for the United Nations system on the ground to provide a united front in support of the electoral process and to maximize the effectiveness of the assistance provided by the international community.

41. Cooperation between UNOGBIS and agencies operating in Guinea-Bissau is facilitated by and undertaken through a coordination mechanism on the ground that brings the various United Nations officials together on a regular basis to brief each other on their respective activities and also to consider possible joint initiatives, especially in support of reconciliation, the rule of law and electoral support.

IX. OBSERVATIONS

42. Holding the legislative and presidential elections on 28 November 1999, as scheduled, in an open, fair and transparent manner was an important step forward in the ongoing transition to democracy and the restoration of peace and normalcy in Guinea-Bissau. It is my hope that the results of the legislative elections signal the emergence of an era of pluralistic democracy.

43. I am pleased to note that UNOGBIS and the entire United Nations family on the ground worked together in support of the electoral process, especially during the critical preparatory phase.

44. I should also like to commend the international community for providing the necessary resources to make the organization of the elections and their observation possible. I wish to note that the electoral process is not yet over and take this opportunity to express my confidence that Member States and interested organizations will also provide assistance for the organization and conduct of the second round of the presidential elections scheduled for 16 January 2000.

45. Members of the Council will recall that in my last report (S/1999/1015), I informed the Council that Guinea-Bissau's transitional Government had requested

the extension of the mandate of UNOGBIS for one year, after its expiry on 31 December 1999, in order to assist Guinea-Bissau in the fragile post-electoral period; and that I should undertake to revert to the Council on the matter after consultations with the new Government that would have emerged from the elections. Since no candidate won the 28 November presidential elections, the formation of a new Government is not expected before February 2000, following the second round of voting scheduled for 16 January 2000. Therefore, as an interim measure, and following consultations with the current interim Government, it was recently agreed, in consultation with members of the Council, to extend the mandate of UNOGBIS for three months until 31 March 2000. I shall again revert to the Council on this issue, when the new Government is in place.

46. Against this rather positive background, I cannot help but register again my concern about the continued detention of military and political prisoners in appalling conditions. The recent release of a number of them is a welcome step and I appeal to all concerned in Guinea-Bissau to speed up the judicial process and to take action to improve the conditions of those prisoners who remain in detention.

47. The continued success and effectiveness of UNOGBIS in the fulfilment of its peace-building mission will continue to require the cooperation of the Government and the people of Guinea-Bissau as well as the availability of adequate resources. I am grateful to those Member States that have made contributions to the Trust Fund established to support the activities of UNOGBIS in Guinea-Bissau and I appeal for continued and additional support. The unwavering support of the international community is crucial for the consolidation of the emerging democratic regime and for meeting the challenges of ensuring sustainable peace and progress in Guinea-Bissau.